



# FIDUCIARY BOARD

Arizona State Courts Building  
1501 West Washington Street, Phoenix, Arizona 85007  
Hearing Room 109

**July 13, 2017**  
**10:30 a.m.**

## **Approved Regular Meeting Minutes**

### **MEMBER ATTENDANCE:**

#### **Present:**

Deborah Primock-Chair  
Elaine Acosta Sweet  
Hon. Jay M. Polk  
Catherine Robbins

#### **Telephonically Present:**

Theresa Lancaster  
Diana M. Corry  
Emily Kile

#### **Absent:**

Leonard Montanaro  
Gary Krcmarik

### **OTHER ATTENDEES:**

#### **AOC Staff:**

Mark Wilson  
Michelle Martinez  
Wil Castro  
Hal White  
Pasquale  
Bill MacIntyre  
Kate Novak  
Arnita Oliver

#### **Guests:**

Ramon Franco  
Dora Lydia Pedrego  
Rachel R.  
Heidi Harris  
Jan Leiteh  
Brian Olivas

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## CALL TO ORDER

***Called to Order By:*** Deborah Primock, Chair

***Time:*** 10:30 a.m.

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### **1) REVIEW AND APPROVAL OF MINUTES:**

***1-A: Review and approval of regular minutes for the meeting of the regular session minutes of the meeting held on May 11, 2017.***

***Individual Addressing the Board:*** Deborah Primock, Chair

***Discussion:*** None

***Motion:*** Consideration of and motion to approve regular session minutes for the meeting of May 11, 2017 with correction as stated

***Motion Proposals:*** First Catherine Robbins  
Second Elaine Acosta Sweet

***Motion Results:*** Pass

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### **2) PENDING COMPLAINTS:**

***2-A: Review, discussion and possible action regarding the Division Director dismissal of complaint numbers 17-0003/17-0004.***

***Individual Addressing the Board:*** Michelle Martinez

***Discussion:*** Pursuant to ACJA § 7-201(H)(1)(g)(3), complaints dismissed by the Division Director are CONFIDENTIAL and not a matter of public record. If the Board wishes to address specific details regarding this matter, it is recommended the Board enter Executive Session to discuss matters confidential.

#### **Complaint Numbers 17-0003/17-0004:**

On May 17, 2017, Division Director Wilson dismissed complaint numbers 17-0003/17-0004 without prejudice upon determining that the matter falls outside the jurisdiction of the Fiduciary Board and

the Arizona Supreme Court. The dismissal was forwarded to the complainant. The complainant did not request Board review of the dismissal.

It is recommended the Board affirm the dismissal.

**Motion:** Consideration of and motion to accept staff's recommendation

**Motion Proposals:** First Elaine Acosta Sweet  
Second Hon. Jay M. Polk

**Motion Results:** Pass

**2-B: Review, discussion and possible action regarding complaint number 16-0002, involving licensee, Professional Community Services.**

**Individual Addressing the Board:** Pasquale Fontana

**Discussion:** Staff recommends the Board accept the terms of the proposed Consent Agreement and authorize the Chair to execute the agreement.

**Motion:** Consideration of and motion to accept staff's recommendation

**Motion Proposals:** First Catherine Robbins  
Second Hon. Jay M. Polk

**Motion Results:** Pass

**2-C: Review, discussion and possible actions regarding complaint numbers 16-0016 and 16-0017, involving licensee, Audrey Hanks and Professional Community Services.**

**Individual Addressing the Board:** Bill MacIntyre

**Discussion:** Staff recommends the Board accept the findings of the probable cause evaluator and dismiss complaint numbers 16-0016 and 16-0017.

**Motion:** Consideration of and motion to accept staff's recommendation

**Motion Proposals:** First Elaine Acosta Sweet  
Second Catherine Robbins

**Motion Results:** Pass

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### **3) INITIAL LICENSURE AND ELIGIBILITY**

**3-A:** *Review, discussion and possible action regarding the following applications for initial individual and business licensure:*

- 1. Elizabeth Morales**
- 2. San Pedro Fiduciary Services, LLC (Designated Principal, Paul Melo)**
- 3. Schraner Fiduciary Services, LLC (Designated Principal, Vonda Schraner)**
- 4. Misty Weigle**
- 5. Kathryn A. Blair**
- 6. Ramon Franco**
- 7. Edgar Garcia**
- 8. Janet Wells**

**Individual Addressing the Board:** Hal White

**Discussion:** It is recommended the Board grant initial fiduciary licensure to the following applicants:

1. Elizabeth Morales
2. San Pedro Fiduciary Services, LLC (Designated Principal, Paul Melos) – (Defer this item for next meeting)
3. Schraner Fiduciary Services, LLC (Designated Principal, Vonda Schraner)
4. Misty Weigle

It is noted that the designated principal for item #2 is on the agenda under 4(A)(6) and will be deferred from this meeting. The Board wishes to consider both matters together.

**Motion:** Consideration of and motion to accept staff's recommendation as to items 1, 3 and 4 and to defer item 2 until the next meeting.

**Motion Proposals:** First Elaine Acosta Sweet  
Second Catherine Robbins

**Motion Results:** Pass

**Individual Addressing the Board:** Hal White

**Discussion:** Staff recommends the Board grant initial fiduciary licensure to the following applicant:

5. Kathryn A. Blair.

**Motion:** Consideration of and Motion to accept staff's recommendation

**Motion Proposals:** First Hon. Jay M. Polk  
Second Elaine Acosta Sweet

**Motion Results:** Pass

**Individual Addressing the Board:** Wil Castro

**Discussion:** Staff recommends the Board grant initial fiduciary licensure to the following applicant:

7. Edgar Garcia

**Motion:** Consideration of and motion to accept staff's recommendation

**Motion Proposals:** First Elaine Acosta Sweet  
Second Catherine Robbins

**Motion Results:** Pass

**Individual Addressing the Board:** Wil Castro

**Discussion:** Staff recommends the Board grant initial fiduciary licensure to the following applicant:

8. Janet Wells

**Motion:** Consideration of and motion to accept staff's recommendation

**Motion Proposals:** First Hon. Jay M. Polk  
Second Diana Corry

**Motion Results:** Pass

**Discussion:** **Item considered out of order for quorum considerations.**  
Staff recommends the Board grant initial fiduciary licensure to the following applicant:

6. Ramon Franco

**Motion:** Consideration of and Motion to accept staff's recommendation

**Motion Proposals:** First Elaine Acosta Sweet  
Second Theresa Lancaster  
Recused Catherine Robbins

**Motion Results:** Pass

**3-B:                    *Review, discussion and possible action regarding the denial of application for Dora Lydia Pedrego.***

Remarks from Dora Pedrego

***Individual Addressing the Board:***        Mark Wilson

***Discussion:***                    Following a hearing requested by the applicant concerning the Board's denial of initial licensure, the Hearing Officer's recommendation supports reversal of the denial and approval of the application.

Staff recommends the Board accept Judge O'Neil's recommended decision, reverse the denial and grant licensure to Ms. Pedrego.

***Motion:***                        Consideration of and Motion of accept staff's recommendation

***Motion Proposals:***    First                    Elaine Acosta Sweet  
                                  Second                Diana M. Corry  
                                  Recused             Catherine Robbins

***Motion Results:***        Pass

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**4)        RENEWAL OF LICENSURE APPLICATIONS:**

**4-A:    *Review, discussion and possible action regarding the following applications for renewal of individual and business entity licensure:***

- 1.   *D.M. Benjamin CPA, P.C. (Designated Principal, Donna Benjamin)***
- 2.   *Entrust Fiduciary Services, Inc. (Lisa Price) Recused Polk - Defer***
- 3.   *Lisa Price – Recused Polk Defer***
- 4.   *James Otis***
- 5.   *Robert Fleming***
- 6.   *Paul Melo***

***Individual Addressing the Board:***        Wil Castro

***Discussion:***                    It is recommended renewal of licensure be granted to the following:

- 1.   *D.M. Benjamin CPA, P.C. (Designated Principal, Donna Benjamin)***
- 4.   *James Otis***
- 5.   *Robert Fleming.***

***Motion:***                        Consideration of and motion to accept staff's recommendation.

**Motion Proposals:** First Elaine Acosta Sweet  
Second Diana Corry

**Motion Results:** Pass

**Individual Addressing the Board:** Wil Castro

**Discussion:** The following applicants will be deferred until next meeting:

2. *Entrust Fiduciary Services, Inc. (Lisa Price)*
3. *Lisa Price*
6. *Paul Melo*

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**5) LICENSURE AND ELIGIBILITY:**

**5-A:** *Review, discussion, and possible action regarding the voluntary surrender of licensure received from James Clark, License Number 20060.*

**Individual Addressing the Board:** Wil Castro

**Discussion:** It is recommended the Board accept the request of Mr. Clark to voluntarily surrender his license.

**Motion:** Consideration of and motion to accept staff's recommendation

**Motion Proposals:** First Catherine Robbins  
Second Hon. Jay M. Polk

**Motion Results:** Pass

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**6) ADMINISTRATIVE ISSUES:**

**6-A:** *Update on subcommittee to review possible Code changes involving guidelines concerning bankruptcies and other financial disclosure issues.*

**Individual Addressing the Board:** Mark Wilson

**Discussion:** No update at this time. Will be presented at next board meeting.

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**CALL TO THE PUBLIC**

**Individuals Addressing the Board:** None

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## ADJOURNMENT

***Motion:*** Move to adjourn.

***Motion Proposals:*** First Elaine Acosta Sweet  
Second Hon. Jay M. Polk

***Motion Results:*** Pass

***Time:*** 11:17 a.m.

Initials: AO